

Art Unit: 1786

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Thomas Hunter on April 07, 2011.

The claims have been amended as follows:

Claims 2, 12-22 and 31-42 are canceled. The status identifier for each of these claims has been changed to --(Canceled)--.

Claim 3, line 1: "claims" has been changed to --claim--.

Claim 3, penultimate line: " $N(R^5)$," has been deleted.

Claim 4, penultimate line: a space has been inserted after " R^{14} ".

Claim 7, line before formula (12) on page 10 of the amendment filed April 04, 2011: the period after "2" has been changed to a comma.

Claim 7, line after formula (12): "represent" has been changed to --represents--.

Claim 8, penultimate line: a comma has been inserted after "group" (first occurrence).

The amendment filed April 04, 2011, which amends claim 1, has been entered.

The penultimate line of claim 3 has been amended by examiner's amendment for consistency with applicant's amendment to claim 1. A repeating unit of formula (3) as shown in claim 3 wherein X^5 represents $N(R^5)$ is outside the scope of a repeating unit of formula (1) as defined in present claim 1.

The other changes to claims 3, 4, 7 and 8 as set forth in the examiner's amendment correct grammatical and/or typographical errors, and do not alter the scope of the claims.

The provisional obviousness-type double patenting rejection based on copending Application No. 10/573,839 is withdrawn in accordance with MPEP 804 I.B.1., as is the provisional obviousness-type double patenting rejection based on copending Application No. 11/572,513. The present application is the earliest-filed of the three applications.

Claims 2, 12-22 and 31-42, previously withdrawn from consideration as being drawn to nonelected inventions or species, do not meet the conditions for rejoinder. Accordingly these claims have been canceled.

Claims 1, 3-11 and 23-30 are allowed, and are renumbered as 1-18, respectively.

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Any inquiry concerning this communication should be directed to Marie R. Yamnitzky at telephone number (571) 272-1531. The examiner works a flexible schedule but can generally be reached at this number from 7:00 a.m. to 3:30 p.m. Monday and Wednesday-Friday.

The current fax number for all official faxes is (571) 273-8300. (Unofficial faxes to be sent directly to examiner Yamnitzky can be sent to (571) 273-1531.)

/Marie R. Yamnitzky/
Primary Examiner, Art Unit 1786

MRY
April 07, 2011